

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF WASHINGTON

UNITED STATES OF AMERICA,
Plaintiff,
v.
J. Scott Vrieling and Patricia Dionn
Vrieling,
Defendants.

No. CR-11-057-RHW

**ORDER ADDRESSING POST-
TRIAL MOTIONS**

Before the Court are Defendants' Motion for Judgment of Acquittal, ECF No. 152; Defendants' FRCrP 33(a)(b)(1) Motion to Vacate Judgment, ECF No. 183; Defendants' Second FRCrP 33(a)(b)(1) Motion to Vacate Judgment, ECF No. 184; and the Governments' Motion for an Order Assessing the Costs of Prosecution, ECF No. 161; and Motion for Order of Dismissal with Prejudice, ECF No. 200.

Prior to sentencing, the Court reviewed Defendants' post-trial motions. The Court summarily denies the motions. There was sufficient evidence for the jury to convict Defendants, and Defendants' remaining arguments are frivolous and do not provide a basis for the Court to enter judgment of acquittal, vacate the judgment, or order a new trial.

The Government asks that the Court dismiss the Indictment against Defendant Patricia Dionn Vrieling. Defendant Vrieling passed away prior to sentencing. The Court finds good cause exists to grant the motion.

Accordingly, **IT IS HEREBY ORDERED:**

1. Defendants' Motion for Judgment of Acquittal, ECF No. 152, is **DENIED.**

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1 2. The Government's Motion for an Order Assessing the Costs of
2 Prosecution, ECF No. 161, is **GRANTED**.

3 3. Defendants' FRCrP 33(a)(b)(1) Motion to Vacate Judgment, ECF NO.
4 183, is **DENIED**.

5 4. Defendants' Second FRCrP 33(a)(b)(1) Motion to Vacate Judgment,
6 ECF No. 184, is **DENIED**.

7 5. The Government's Motion for Order of Dismissal with Prejudice, ECF
8 No. 200, is **GRANTED**.

9 6. The indictment filed against Defendant Patricia Dionn Vrieling is
10 **dismissed, with prejudice**.

11 **IT IS SO ORDERED.** The District Court Executive is directed to enter
12 this Order and forward copies to counsel and the Defendant J. Scott Vrieling.

13 **DATED** this 13th day of May, 2013.

14
15 s/Robert H. Whaley
16 ROBERT H. WHALEY
17 United States District Judge
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